

ESTTA Tracking number: **ESTTA251626**

Filing date: **11/26/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91168862
Party	Plaintiff Cabo Wabo LLC
Correspondence Address	Sara Mahdavi Morrison & Foerster LLP 425 Market Street San Francisco, CA 94105-2482 UNITED STATES RTarlton@mofo.com, SMahdavi@mofo.com, LSimpson@mofo.com
Submission	Withdrawal of Opposition
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Signature	/Rosemary S. Tarlton/
Date	11/26/2008
Attachments	Withdrawal of Cabo Nuts.pdf (3 pages)(53963 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the applications of:

Brady Bunte

Marks: CABO AZUL; CABO NUTS

Opposition Titles: Cabo Wabo LLC v. Brady Bunte

Opposition Nos.: 91168862; 91168968

Serial Nos.: 78/468,593; 78/551,176

Application Filing Dates: August 17, 2004; January 20, 2005

CONSENTED WITHDRAWAL OF OPPOSITION

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, VA 22313-1451

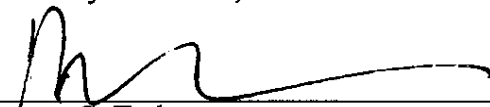
Dear Trademark Trial and Appeal Board:

Pursuant to 37 C.F.R. §2.106(c), Opposer Cabo Wabo LLC hereby requests the withdrawal of the above-captioned Oppositions, which have been consolidated and are proceeding under Opposition No. 91168862. Applicant consents to this withdrawal in writing, as evidenced below.

Respectfully submitted,

Dated: November 26, 2008

By:


Rosemary S. Tarlton
Attorney for Opposer

Morrison & Foerster LLP
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San Francisco, CA 94105-2482
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Applicant expressly consents to this withdrawal of the above-captioned opposition:

Dated: Nov 24, 2008

By: Bruce B. Brunda
Bruce B. Brunda
Attorney for Applicant

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PROOF OF SERVICE BY MAIL

I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California, 94105; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

I further declare that on November 26, 2008 I served a copy of:

CONSENTED WITHDRAWAL OF OPPOSITION

on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California, 94105, in accordance with Morrison & Foerster's ordinary business practices:

Bruce B. Brunda
Stetina Brunda Garred & Brucker
75 Enterprise, Suite 250
Aliso Viejo, CA 92656

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed at San Francisco, California, this 26th day of November, 2008.

Dennis Labaria
(typed)



(signature)